IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 1ST JANUARY 2007 / 11TH POUSHA, 1928

Bail Appl..No. 7609 of 2006()

CRIME NO.146/06 OF KOTTARAKKARA EXCISE RANGE.

: PETITIONER/ACCUSED

SANTHOSH @ KINGINI SANTHOSH,
S/O.SASIDHARAN, KADAKKODEMURI,
KAREEPRA VILLAGE, KOTTARAKKARA.

BY ADV. SRI.M.K.CHANDRA MOHANDAS

RESPONDENTS: STATE

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1. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. EXCISE INSPECTOR,
KOTTARAKKARA.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING BEEN FINALLY HEARD ON 01/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 7609 OF 2006

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DATED THIS THE 1st DAY OF JANUARY, 2007

O R D E R

In this Petition filed under Sec.439 Cr.P.C. the petitioner who is the accused in Crime No.146/06 of Kottarakkara Excise Range for offences punishable under Sections 8(1) and 8(2) of the Abkari Act for having been found in possession of 35 liters of spirit on 4.8.2006, seeks his enlargement on bail. The petitioner was arrested on 23.11.2006.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner. Accordingly, the petitioner is directed to be released on bail on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Kottarakkara and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn